

Congress of the United States
Washington, DC 20515

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December 17, 2010

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street
Washington, DC 20554

The Honorable Robert M. McDowell
Commissioner
Federal Communications Commission
445 12th Street
Washington, DC 20554

The Honorable Michael J. Copps
Commissioner
Federal Communications Commission
445 12th Street
Washington, DC 20554

The Honorable Mignon Clyburn
Commissioner
Federal Communications Commission
445 12th Street
Washington, DC 20554

The Honorable Meredith Attwell Baker
Commissioner
Federal Communications Commission
445 12th Street
Washington, DC 20554

Dear Mr. Chairman and Commissioners:

We understand that the Federal Communications Commission is considering adopting safeguards to ensure that the Internet remains open as a platform for economic growth, innovation and free expression. We applaud the FCC for moving forward on this critical initiative. However, during your proceedings, we want to ensure that America's community anchor institutions – the schools, libraries, community colleges, and other higher education institutions – are not left out of the proposed safeguards.

Community anchor institutions rely upon the openness of the Internet for education, research, job-training, and many other essential services to the public. As you know, these institutions are essential to providing broadband access to unserved and underserved populations unable to maintain computer service in individual homes because of financial or technological impediments. In fact, virtually all of our nation's public libraries, for instance, offer Internet access to the general public at no charge, and in two-thirds of our communities, the library offers the *only* free access to the Internet.

During the current, economic climate, more and more Americans are traveling, in some instances, miles to the nearest anchor institution to access the internet. Community colleges, libraries and higher education also rely upon the internet for distance learning, collaborative research, and access to a wide variety of educational applications and information resources.

The services provided by these public institutions are vitally important to our educational achievement and economic growth of this nation.

We believe there is a critically important issue which needs to be addressed by the Commission to ensure that anchor institutions and the public they serve will benefit from the FCC's rules:

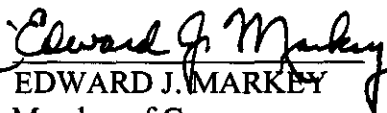
- Community anchor institutions should be included in the definition of broadband Internet access service and in the non-discrimination protections. Leaving these critical institutions out of the proposal will create a gaping hole in the FCC's net neutrality safeguards. Many community anchor institutions purchase standard access to the public Internet from broadband Internet service providers and simply cannot and do not negotiate their own terms or conditions unlike large corporations that purchase their own private networks.

Community anchor institutions should be able to provide their Internet-based services equally to all members of their community, whether at a library, on a school campus, or at home. Learning and research over the Internet are not dependent on physical location, and the freedom to use the Internet on an open and nondiscriminatory basis should be guaranteed from anywhere, especially from our nation's anchor institutions. It is absolutely critical that the general public's access to the Internet through our nation's community anchor institutions is not impeded. We urge you to include the recommendations above in any upcoming net neutrality order.

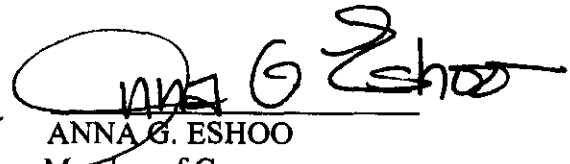
Sincerely,



DORIS O. MATSUI
Member of Congress



EDWARD J. MARKEY
Member of Congress



ANNA G. ESHOO
Member of Congress



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

March 4, 2011

The Honorable Anna G. Eshoo
Ranking Member
Subcommittee on Communications and Technology
Committee on Energy and Commerce
U.S. House of Representatives
2322 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Eshoo:

Thank you for sharing your thoughts with me in your letter regarding the Commission's open Internet proceeding.

At its December 21, 2010 meeting, the Commission adopted a strong and balanced framework to preserve Internet openness and freedom. After fourteen months, more than 200,000 commenters, and hundreds of discussions with stakeholders, this action provides much needed certainty to the marketplace. I believe that these high-level rules of the road – which received broad support from across the Internet ecosystem – will be a powerful spur for innovation and investment, and will strengthen the Internet job creation engine.

In your letter you asked that the Commission extend open Internet protections to anchor institutions, such as schools, libraries, community colleges, and other higher education institutions. I am pleased to report that the open Internet rules will apply to “service[s] marketed and sold on a standardized basis to residential customers, small businesses, and other end-user customers such as schools and libraries.” *See* Preserving the Open Internet Report and Order at para. 45. In addition, the rules will apply to “broadband Internet access services purchased with the support of the E-rate program that may be customized or individually negotiated.” *Id.* Finally, the Order concluded that “pay for priority” arrangements, in which a fixed broadband provider and a third party make a commercial arrangement to favor some traffic over other traffic would be unlikely to satisfy the Order’s “no unreasonable discrimination” standard, in part because such arrangements may particularly harm libraries, schools, and other noncommercial end users. *Id.* at para. 76.

I appreciate your interest in this very important matter. I look forward to working further with you on a broad range of telecommunications issues, including spectrum policy, universal service reform, and the deployment of a public safety wireless broadband network.

Sincerely,



Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

March 4, 2011

The Honorable Edward J. Markey
U.S. House of Representatives
2108 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Markey:

Thank you for sharing your thoughts with me in your letter regarding the Commission's open Internet proceeding.

At its December 21, 2010 meeting, the Commission adopted a strong and balanced framework to preserve Internet openness and freedom. After fourteen months, more than 200,000 commenters, and hundreds of discussions with stakeholders, this action provides much needed certainty to the marketplace. I believe that these high-level rules of the road – which received broad support from across the Internet ecosystem – will be a powerful spur for innovation and investment, and will strengthen the Internet job creation engine.

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Sincerely,



Julius Genachowski



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

March 4, 2011

The Honorable Doris O. Matsui
U.S. House of Representatives
222 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Matsui:

Thank you for sharing your thoughts with me in your letter regarding the Commission's open Internet proceeding.

At its December 21, 2010 meeting, the Commission adopted a strong and balanced framework to preserve Internet openness and freedom. After fourteen months, more than 200,000 commenters, and hundreds of discussions with stakeholders, this action provides much needed certainty to the marketplace. I believe that these high-level rules of the road – which received broad support from across the Internet ecosystem – will be a powerful spur for innovation and investment, and will strengthen the Internet job creation engine.

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Sincerely,



Julius Genachowski